



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C. 11/17/03 Item: 3.u

File Number:
GP03-T-09

Council District and SNI Area:
4

Major Thoroughfares Map Number:
50

Assessor's Parcel Number(s):
097-45-048

Project Manager:
Mike Mena

GENERAL PLAN REPORT

2003 Fall Hearing

TEXT REFERENCE:

Amend Chapter IV, Urban Design Policy # 10, page 72.

PROJECT DESCRIPTION:

Amend the Urban Design Policies within the *San Jose 2020 General Plan* to increase the maximum building height from 120 feet to 210 feet for a 43.0-acre site located within the Rincon de Los Esteros Redevelopment Area.

LOCATION: On the west side of North First Street at the terminus of Component Drive.**ACREAGE:** 43.0

APPLICANT/OWNER:

BEA Systems/ABH Amro Leasing

ENVIRONMENTAL REVIEW STATUS:

Reuse of a Final Environmental Impact Report for the Rincon de Los Esteros Redevelopment Area, adopted on November 12, 1987; Resolution No. 60197.

PLANNING STAFF RECOMMENDATION:

Approve the proposed text amendment.

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

See attached memorandums: Airport Department

Department of Public Works

Santa Clara Valley Transportation Authority

Santa Clara Valley Water District

GENERAL CORRESPONDENCE:

None received.

ANALYSIS AND RECOMMENDATIONS:

BACKGROUND

The applicant, BEA Systems, has requested an amendment to the text of the *San Jose 2020 General Plan* to modify Urban Design Policy No. 10, to increase the maximum allowable building height from 120 feet to 210 feet for an approximately 43.0-acre site located on the west side of North First Street at the terminus of Component Drive. The site is currently vacant and is surrounded on three sides by industrial park uses and abuts a vacant parcel and Highway 101 to the west. The Norman Y. Mineta International Airport is located across Highway 101 from the amendment site.

The subject site is also located within the Guadalupe Transit Oriented Development Corridor. Transit Oriented Development Corridors are areas designated in the General Plan as appropriate for intensification of residential and mixed uses as well as non-residential uses (e.g., employment uses) centered along existing and/or planned light rail transit lines and major bus routes. The subject site is also located within the boundary of the North San Jose Area Development Policy, which encompasses the area north of Highway 101 and south of Highway 237. The North San Jose Area Development Policy was established to allow development in the North San Jose industrial area under a special transportation level of service standard by stipulating maximum floor area ratios for development and other provisions.

The proposed project is associated with a pending Conforming Planned Development Rezoning (PDC03-073) to allow for the development of up to 1.4 million previously approved square feet of office and research and development uses, and would allow building heights up to 210 feet.

ANALYSIS

This analysis addresses the consistency of the proposed amendment with the applicable General Plan Major Strategies and Land Use Policies.

The City's Economic Development Major Strategy encourages maximizing the City's land resources in order to attract a larger share of the region's economic development. The Economic Development Major Strategy also emphasizes the development and redevelopment of non-residential and job generating uses along major corridors for the health of the local economy and to shrink the current job/housing imbalance. Sites in close proximity to transit, particularly light rail lines, present important opportunities for increased development intensity. The proposed text amendment to allow a building height increase from 120 feet to 210 feet on the subject site is consistent with this Major Strategy in that it would facilitate intensification of development opportunities in the important North San Jose employment center located directly adjacent to the light rail line and assist the City in retaining and expanding the development of job generating uses.

The City's Growth Management Major Strategy encourages compact and efficient infill development on sites that are located near employment centers and/or on major transit routes and

already served by existing municipal services. The proposed text amendment is consistent with this Strategy in that the proposed increase in building height would facilitate a compact infill development that is located within North San Jose and adjacent to the Guadalupe Light Rail Line, and currently has City services.

Community Identity Policies in the General Plan emphasize that the City should foster development of a compact, cohesive pattern of urbanization with definite, identifiable boundaries that readily create a sense of community identity. The proposed height exception for the subject site is consistent with this policy in that North San Jose is a major corporate/employment center. Allowing increased building height would facilitate more intense urban development along North First Street, the premiere address in North San Jose, thereby strengthening the City's identity as the Capital of Silicon Valley.

The General Plan currently allows properties within Transit Oriented Development Corridors and within a reasonable walking distance of an existing or planned passenger rail station, to have a maximum building height up to 120 feet. The site of the proposed height increase fronts onto North First Street, a Transit Oriented Development Corridor, and is within a reasonable walking distance to the Karina Court Light Rail Station. The proposed General Plan Text Amendment would allow future development of new industrial/research and development/office buildings of up to 210 feet in height. Given the site's proximity to the Guadalupe Light Rail Line and its location within an existing industrial area, the proposed height increase is consistent with the intent of the General Plan's Transit Oriented Development Corridors to intensify development where proposed project(s) and public transit facilities would be mutually supportive.

The General Plan Transportation Policies state that development in the vicinity of airports should be regulated in accordance the Federal Aviation Administration guidelines. Discussions with Karen McDonald, of the Federal Aviation Administration (FAA), indicated that review by the FAA would only be required at the development permit stage. Specific building information such as building orientation, coordinates of each corner of future structures, dimensions and type of building materials, that would be required for a determination of a No Hazard Clearance, would not be possible at the General Plan review stage because the required level of site design detail is not available at the time of this review, the actual building height could be lower than 210 feet.

Finally the proposed text amendment is consistent with recent direction from the Mayor and City Council through the "Getting Families Back to Work" effort, to facilitate new economic development and job generating uses by considering increasing floor area ratios and taller height limits in North San Jose.

Environmental Issues

Pursuant to Section 15180 of the CEQA Guidelines, the City of San Jose has determined that the project described below is pursuant to or in furtherance of the Revised Rincon de Los Esteros Redevelopment Plan and does not involve new significant effects beyond those analyzed in the Final Environmental Impact Report (EIR) for the Rincon de Los Esteros Redevelopment Plan in San Jose. Therefore, the proposed amendment is within the scope of the Rincon de Los Esteros Redevelopment Plan and the Final EIR.

PUBLIC OUTREACH

The property owners within a 1000-foot radius were sent a newsletter regarding the two community meetings that were held on October 14th and 15th, 2003. They also received a hearing notice of the public hearings to be held on the subject amendment before the Planning Commission in November and City Council in December. In addition, the Department's web-site contains information regarding the General Plan process, amendments, staff reports, and hearing schedule. This site is used by the community to keep informed with the status of the amendments.

No comments were provided by the community at the meetings or in other communications.

RECOMMENDATION

Adopt the proposed text amendment to increase the height limit to 210 feet for the property located on the west side of North First Street at the terminus of Component Drive.

Attachments

PBCE002/GP_Team/2001Annual Review/staff report/Fall2001staff_reports/GP03-T-09

PROPOSED TEXT AMENDMENT

Amend Chapter IV. Urban Design Policies #10, page 64 as follows:

Urban Design Policies:

10. The maximum building heights and forms are intended to address urban design considerations only. Other factors, such as compatibility with nearby land uses, may result in more restrictive height limitations. Building height, including all elements at a building whether occupied space or building features, should not exceed 50 feet, with the following exceptions:

SPECIFIC SITES AND GEOGRAPHICAL AREA EXCEPTIONS:

- For property located on the west side of North First Street at the westerly terminus of Component Drive, the maximum allowable height is 210 feet.